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**Office of the Electricity Ombudsman**  
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)  
**B-53, Paschimi Marg, Vasant Vihar, New Delhi – 110 057**  
(Phone No.: 32506011, Fax No.26141205)

**Appeal No. F. ELECT/Ombudsman/2015/678**

**Appeal against the Order dated 19.11.2014 passed by CGRF–  
BYPL in Complaint No.88/07/2014.**

**In the matter of:**

**Shri Bindhyachal Prasad - Appellant**

**Versus**

**BSES Yamuna Power Ltd. - Respondent**

**Present:-**

**Appellant: Shri Manoj, authorized representative, attended  
on behalf of the appellant.**

**Respondent: Ms. Kashmi Gupta, A.M. (Legal), Shri Anirudh  
Arya (B.M.) & Shri Tarun Jhinjharia (Legal  
Retainer) attended on behalf of the BYPL.**

**Date of Hearing : 17.02.2015**

**Date of Order : 20.02.2015**

**ORDER NO. OMBUDSMAN/2015/678**

This appeal has been filed by Shri Bindhyachal Prasad, C-2/570, Sonia Vihar, 2<sup>nd</sup> Pusta, Delhi – 110094, against the Consumer Grievance Redressal Forum – BSES Yamuna Power Ltd. (CGRF-BYPL) order dated 19.11.2014 dismissing his petition for release of a new connection at his shop with the address A-1/7 A, Gamri Extension, Ghonda, Delhi – 110053 on the ground that legal cases for recovery of direct theft dues were pending in the Special

Court on the same premises where the non-domestic connection had been sought for. Hence the CGRF had no jurisdiction in the matter.

A hearing was held on 17.02.2015. Both the parties were heard. The DISCOM informed that no connection was ever released in the premises as only direct theft cases have occurred. Over the years more shops have come up at the address. It is a fact that direct theft cases had been filed against these also as there were a number of direct theft notices issued in the same premises. These are under adjudication in the Special Court.

Since, the complainant had bought a shop with no connection and direct theft case against it, he has no choice but to contest it. If there is any confusion/dispute as to the person/identity of the consumer against whom direct theft cases have been registered, this can be resolved in the hearing in Special Court. As the matter is one of direct theft, as has been correctly brought out by the CGRF, the CGRF order is, therefore, found correct and is upheld.

The appeal is dismissed and the case is closed.

  
(PRADEEP SINGH)  
Ombudsman

20th February, 2015

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